

EXHIBIT A

MACCORKLE LAVENDER PLLC

• 2004 White Willow Way • Morgantown • West Virginia • 26505
Phone (304) 599-5600 • Fax (304) 599-8141

Email address: hnoel@mlclaw.com

September 23, 2015

Please refer to: WM 7860

Via Facsimile Only

Zachary J. Poole, Esq.
Fredeking & Fredeking Law Offices LC
511 Eighth Street
Huntington, WV 25701

Re: Joshua Cremeans v. Wal-Mart Stores, Inc.
Circuit Court of Cabell County, West Virginia
Civil Action No. 15-C-608

Dear Mr. Poole:

I have been retained to represent Wal-Mart Stores East, LP, incorrectly named in the complaint as Wal-Mart Stores, Inc., in the above matter. In light of the case law allowing removal of a suit without a binding stipulation that Plaintiff will not seek or accept more than the jurisdictional sum, I have prepared a Stipulation which states that your client will neither seek nor accept any sum over \$75,000.00 in this case from any known or unknown defendants, third-party defendants, or parties. I am attaching the Stipulation for your review and consideration. If the Stipulation meets with your approval, I ask that you please sign the same, have your client do likewise and return the original to me for filing with the Circuit Clerk. As my client's response to the Complaint is due in the next several days, I ask that you please have the signed Stipulation back to me by **September 30, 2015**. In the event I have not received the Stipulation by that date, I will proceed to remove the case to federal court.

I thank you in advance for your attention to this matter. Please do not hesitate to contact me, should you have any questions. With best wishes, I remain,

Very truly yours,


Heather M. Noel

Attachment

IN THE CIRCUIT COURT OF CABELL COUNTY, WEST VIRGINIA

JOSHUA CREMEANS,

Plaintiff,

v.

Civil Action No. 15-C-608

Judge C. Chiles

WAL-MART STORES, INC.,

Defendant.

STIPULATION

Now comes the Plaintiff, Joshua Cremeans, in person and by counsel, Zachary Poole, and stipulates that he will neither seek nor accept recovery from the Defendant, Wal-Mart Stores Inc., or any of its subsidiaries including but not limited to Wal-Mart Stores East, LP, nor will he seek nor accept recovery from any known or unknown Defendants who could also be named in this litigation, if any, in an amount in excess of \$75,000.00, exclusive of interest and costs, in this matter.

Joshua Cremans

Zachary J. Poole, Esq.
Fredeking & Fredeking Law Offices, LC
511 Eighth Street
Huntington, WV 25701
Counsel for Plaintiff

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DATE: September 23, 2015

FILE NO.: WM-07860

ATTORNEY: Heather M. Noel, Esq.

The following document, including cover sheet, is 3 pages long.

Please deliver this document to:

NAME	FAX NUMBER
Zachary Poole, Esq.	304-525-7752

This document is from: Heather M. Noel, Esq.

TELEPHONE: (304) 599-5600

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SPECIAL INSTRUCTIONS/REMARKS: Please see the attached. Thank you.

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TX Result Report

P 1

09/23/2015 13:50

Serial No. A2X1017004392

TC: 224965

Addressee	Start Time	Time	Prints	Result	Note
913045257752	09-23 13:50	00:00:40	003/003	OK	

Note THM:Timer TX, POL:Polling, ORG:Original Size Setting, FME:Frame Erase TX,
 DP6:Page Separation TX, RIX:Fixed Original TX, CALL:Manual TX, CSRC:CSRC,
 FWD:Forward, PC:PC-FAX, BND:Double-Sided Binding Direction, SP:Special Original,
 FCODE:F-Code, RTX:Re-TX, RLV:Relay, MEX:Confidential, BOL:Bulletin, SIP:SIP Fax,
 IPADR:IP Address Fax, I-FAX:Internet Fax

Result OK: Communication OK, S-OK: Stop Communication, PW-OFF: Power Switch OFF,
 TEL: RX from TEL, NB: Other Error, CONT: Continue, No Ans: No Answer,
 Refuse: Receipt Refused, Busy: Busy, M-Full:Memory Full, LOUR:Receiving length Over,
 POWR:Receiving page Over, FIL:File Error, DC:Decode Error, MDN:MDN Response Error,
 DSN:DSN Response Error, PRINT:Compulsory Memory Document Print,
 DEL:Compulsory Memory Document Delete, SEND:Compulsory Memory Document Send.

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